

**APPLICATION FOR PERMISSION TO CHANGE POINT OF
DIVERSION, MANNER OF USE AND PLACE OF USE OF THE
PUBLIC WATERS OF THE STATE OF NEVADA
HERETOFORE APPROPRIATED**

NEW PRIORITY DATE:
Date of filing in State Engineer's Office MAY-22-1998 JUL 15 2003
Returned to applicant for correction JUL 01 1998
Corrected application filed SEP 01 1998
Map filed AUG 28 1998 under 64173

The applicant JELINDO A TIBERTI II AND SANDEE MELVIN TIBERTI, hereby make application for permission to change the POINT OF DIVERSION MANNER OF USE PLACE OF USE OF A PORTION of water heretofore appropriated under PERMIT NO. 61403

1. The source of water is UNDERGROUND
2. The amount of water to be changed 0.4 ACRE-FEET, 0.0057CFS
3. The water to be used for COMMERCIAL
4. The water heretofore permitted for IRRIGATION
5. The water is to be diverted at the following point SW $\frac{1}{4}$ SW $\frac{1}{4}$ SECTION 2, T20S, R53E, MDB&M OR AT A POINT FROM WHICH THE SW CORNER OF SAID SECTION 2 BEARS SOUTH 78⁰ 22' WEST, 871 FEET
6. The existing permitted point of diversion is located within NW $\frac{1}{4}$ NE $\frac{1}{4}$ SECTION 27, T19S, R53E, MDB&M, OR AT A POINT FROM WHICH THE NE CORNER OF SAID SECTION 27 BEARS NORTH 72⁰ 29' 20" EAST, 2111.13 FEET
7. Proposed place of use SW $\frac{1}{4}$ SECTION 2, T20S, R53E, MDB&M, LYING WITHIN PARCEL 123 OF SURVEY MAP FILE #84280, RECORDS OF NYE COUNTY, NV.
8. Existing place of use WITHIN THE N $\frac{1}{2}$ NE $\frac{1}{4}$ SECTION 28, T19S, R53E, MDB&M
9. Use will be from JAN. 1 to DEC. 31 of each year.
10. Use was permitted from JAN 1 to DEC. 31 of each year.
11. Description of proposed works DRILLED WELL, PUMP, ELEC. MOTOR
12. Estimated cost of works \$6000
13. Estimated time required to construct works 6 MO.
14. Estimated time required to complete the application of water to beneficial use 2 YR.
15. Remarks:

By DONALD JARAGOSKY
s/Donald Jaragosky
P.O. BOX 550
PAHRUMP, NV. 89041

Compared my/cms hs/bk

Protested

~~CANCELLED JUN 28 2003 BECAUSE OF FAILURE
OF APPLICANT TO COMPLY WITH THE PROVISIONS OF PERMIT~~
~~SE *[Signature]*, P.E. *[Signature]* STATE ENGINEER~~
~~Can. Rescinded 9-11-03~~

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion, place of use, and manner of use of a portion of the waters of an underground source as heretofore granted under Permit 61403 is issued subject to the terms and conditions imposed in said Permit 61403 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

If any water under this permit is cancelled, withdrawn, or any water is not put to beneficial use, it will revert to the groundwater source and not back to the base water right.

(CONTINUED ON PAGE 3)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.001 cubic feet per second, but not to exceed 0.40 acre-feet annually.

Work must be prosecuted with reasonable diligence and be completed on or before:

March 9, 2001

Proof of completion of work shall be filed before:

April 9, 2001

Water must be placed to beneficial use on or before:

March 9, 2003

Proof of the application of water to beneficial use shall be filed on or before:

April 9, 2003

Map in support of proof of beneficial use shall be filed on or before:

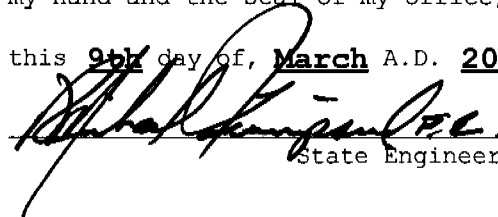
N/A

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 9th day of, March A.D. 2000


State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed N/A

Certificate No. _____ Issued _____

